

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CBV, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 21-1456-[MN]
	)	
CHANBOND, LLC,	)	
	)	
Defendant.	)	[PUBLIC VERSION]

**ANSWER TO FIRST AMENDED COMPLAINT<sup>1</sup>**

Defendant ChanBond, LLC (“Defendant”) hereby answers the First Amended Complaint (D.I. 6) of Plaintiff CBV, Inc. (“Plaintiff”), as follows:

**INTRODUCTION**

1. The allegations in paragraph 1 state legal conclusions to which no response is required. To the extent further response to paragraph 1 is required, Defendant denies the allegations in paragraph 1 in their entirety, including the allegation that Plaintiff has been “stymied” by any actions of Defendant. To the extent the allegations of paragraph 1 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document.

2. The allegations in paragraph 2 state legal conclusions to which no response is required. To the extent the allegations of paragraph 2 purport to characterize the contents of the

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<sup>1</sup> For ease of comparison between the allegations in Plaintiff’s First Amended Complaint and Defendant’s responses thereto, Defendant has incorporated the “Headings” set forth in Plaintiff’s First Amended Complaint. It should be understood, however, that Defendant does not concede the characterizations in such “Headings[,]” and where appropriate or necessary, denies such allegations.

█████, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the █████ for the true and correct contents thereof.

3. Admitted.

4. Admitted.

5. Defendant denies the allegations set forth in sentence 1 of paragraph 5, including that Plaintiff is entitled to █████ or any relief whatsoever. Defendant admits that ChanBond has not made a payment in the amount of █████ to Plaintiff. To the extent the allegations of paragraph 5 purport to characterize the contents of the █████, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the █████ for the true and correct contents thereof.

6. Defendant denies the allegations set forth in paragraph 6 in their entirety. To the extent the allegations of paragraph 6 purport to characterize the contents of the █████, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the █████ for the true and correct contents thereof.

7. Defendant denies the allegations set forth in paragraph 7 in their entirety. To the extent the allegations of paragraph 7 purport to characterize the contents of the █████ that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the █████ for the true and correct contents thereof.

8. Defendant denies the allegations set forth in paragraph 8 in their entirety. To the extent the allegations of paragraph 7 purport to characterize the contents of the █████, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the █████ for

the true and correct contents thereof.

9. Defendants admit the allegations in sentence 3 of paragraph 9. Defendant denies the remaining allegations in paragraph 9 in their entirety. To the extent the remaining allegations of paragraph 9 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

10. Defendants admit that ChanBond and Ms. Leane entered into an [REDACTED]. The remaining allegations in paragraph 10 state legal conclusions to which no response is required. To the extent further response to paragraph 10 is required, Defendant denies the remaining allegations in paragraph 10 in their entirety. To the extent the allegations of paragraph 10 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

11. The allegations in paragraph 11 state legal conclusions to which no response is required. To the extent further response to paragraph 11 is required, Defendant denies the allegations in paragraph 11 in their entirety. To the extent the allegations in paragraph 11 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

12. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 12, and therefore denies the same. To the extent the

remaining allegations of paragraph 12 purport to characterize the contents of the [REDACTED] that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof. To the extent further response to paragraph 12 is required, Defendant denies the allegations in paragraph 12 in their entirety.

13. Defendant denies the allegations contained in paragraph 13 in their entirety.

14. The allegations in paragraph 14 state legal conclusions to which no response is required. To the extent further response to paragraph 14 is required, Defendant denies the allegations in paragraph 14 in their entirety, including that Plaintiff is entitled to any relief whatsoever.

#### **JURISDICTION**

15. Admitted.

16. Admitted.

17. Admitted.

#### **THE PARTIES**

18. Admitted.

19. Admitted.

#### **RELEVANT NON-PARTIES**

20. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 20, and therefore denies the same.

21. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 21, and therefore denies the same.

22. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 22, and therefore denies the same.

23. Admitted as to sentences 1 and 3 of paragraph 23. Defendant admits that William “Billy” Carter is ChanBond, LLC’s manager and denies the remaining allegations in sentence 2 of paragraph 23.

24. Admitted that Mr. Carter is a resident of North Carolina and ChanBond, LLC’s manager. Defendant denies the remaining allegations in paragraph 24.

**I. The Parties and the Patents**

25. Admitted as to sentence 1 of paragraph 25. Defendant is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 25, and therefore denies the same.

26. Admitted.

27. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 27, and therefore denies the same.

**II. The [REDACTED]**

28. Admitted.

29. Defendant denies the allegations contained in paragraph 29 in their entirety.

30. Defendant denies the allegations contained in paragraph 30 in their entirety.

31. Defendant denies the allegations contained in paragraph 31 in their entirety.

32. Defendant denies the allegations contained in paragraph 32 in their entirety.

33. Defendant denies the allegations contained in paragraph 33 in their entirety.

34. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 34, and therefore denies the same.

35. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 35, and therefore denies the same.

36. Defendant denies the allegations in sentence 1 of paragraph 36. To the extent the remaining allegations of paragraph 36 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all remaining allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

37. Defendant denies the allegations in paragraph 37, except Defendant admits that it retained Bentham as a financing partner.

38. Defendant admits that Defendant and Plaintiff executed the [REDACTED] and otherwise denies the remaining allegations contained in paragraph 38 in their entirety. To the extent the allegations of paragraph 38 purport to characterize the contents of an Amendment to the [REDACTED], that document speaks for itself, and Defendant denies all remaining allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] and any amendments thereto for the true and correct contents thereof.

### **III. The Patent Suits**

39. Admitted.

40. Admitted.

41. Admitted.

42. Admitted.

43. Admitted.

44. Admitted.

45. Defendant admits the allegations in sentences 1 and 2 of paragraph 45. The remaining allegations in sentence 3 of paragraph 45 state legal conclusions to which no response is required. To the extent further response to paragraph 45 is required, Defendant denies the

remaining allegations in paragraph 45 in their entirety. To the extent the remaining allegations of paragraph 45 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all remaining allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

**IV. The Invalid [REDACTED]**

46. Defendant denies the allegations in paragraph 46 in their entirety.

47. Defendant denies the allegations contained in paragraph 47 in their entirety. To the extent the allegations of paragraph 47 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

48. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 1 of paragraph 48, and therefore denies the same. Defendant admits the remaining allegations in paragraph 48.

49. Defendant denies the allegations contained in paragraph 49 in their entirety. To the extent the allegations of paragraph 49 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

**V. Leane and IPNav [REDACTED]**

50. Admitted. To the extent the allegations of paragraph 50 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for

the true and correct contents thereof.

51. The allegations of paragraph 51 purport to characterize the contents of the [REDACTED], and that document speaks for itself. Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

52. Admitted that Mr. Carter is ChanBond, LLC's manager. Defendant denies the remaining allegations in paragraph 52.

53. The allegations in paragraph 53 state legal conclusions to which no response is required. To the extent the allegations of paragraph 53 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

54. The allegations in paragraph 54 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 54. To the extent the allegations of paragraph 54 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

55. The allegations in paragraph 55 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 55. To the extent the allegations of paragraph 55 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the



██████████ for the true and correct contents thereof.

56. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentences 1 and 2 of paragraph 56, and therefore denies the same. Defendant admits the allegations in sentences 3 and 4 of paragraph 56. To the extent the allegations of paragraph 56 purport to characterize the contents of the █████, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the █████ for the true and correct contents thereof.

57. The allegations in paragraph 57 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 57.

**VI. The Lawsuits Settle and CBV Is Entitled to at █████, But ChanBond Refuses to Pay**

58. Defendant admits the allegations in paragraph 58 in their entirety.

59. Defendant denies the allegations in paragraph 59 in their entirety. To the extent the allegations of paragraph 59 purport to characterize the contents of the █████ or an August 29, 2020 letter, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the █████  
██████████ for the true and correct contents thereof.

60. Defendant admits the allegations in paragraph 60 concerning Judge Andrews having “entered a Joint Stipulation and Order for dismissal of the Patent Suits with prejudice as a result of the parties agreement to ‘settle, adjust and compromise all claims; in the Patent Suits.’” Defendant denies the remaining allegations in paragraph 60 concerning “Section III[.]”

61. Defendant admits the allegations in sentence 1 of paragraph 61 that the Patent Suits were settled. Defendant denies that they were settled pursuant to a “Settlement Agreement.”

62. Defendant admits the allegations in sentence 1 of paragraph 62. Defendant denies the allegations in sentence 2 of paragraph 62. Defendant denies the allegations in sentence 3 of paragraph 62 that it has refused to provide Plaintiff with a copy of the Settlement Agreement, an accounting of settlement funds, or any other information to Plaintiff, and denies Plaintiff is entitled to receive any of this information. Defendant admits that it made payment of [REDACTED] to Plaintiff, but denies Plaintiff is entitled to any further payments or relief whatsoever. To the extent the allegations of paragraph 62 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

63. Plaintiff denies the allegations in sentence 1 of paragraph 63 that Plaintiff is entitled to a portion of any recoveries from the Patent Suits. The remaining allegations in paragraph 63 state legal conclusions to which no response is required. To the extent further response to paragraph 63 is required, Defendant denies the allegations in paragraph 63 in their entirety. To the extent the allegations of paragraph 63 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

64. Defendant denies the allegations in paragraph 64 in their entirety. To the extent the allegations of paragraph 64 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

65. The allegations in paragraph 65 state legal conclusions to which no response is required. To the extent further response to paragraph 65 is required, Defendant denies the

allegations in paragraph 65 in their entirety. To the extent the allegations of paragraph 65 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

66. Defendant denies the allegations of paragraph 66.

67. Defendant denies the allegations in sentence 1 of paragraph 67, including that Plaintiff is entitled to [REDACTED] or any relief whatsoever. Defendant admits the allegations in sentence 2 of paragraph 67. Defendant denies the remaining allegations in paragraph 67 in their entirety. To the extent the allegations of paragraph 67 purport to characterize the contents of the [REDACTED], as well as a July 14, 2021 email from Mark Raskin, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] and/or the July 14, 2021 email from Mark Raskin for the true and correct contents thereof.

68. Defendant admits that Plaintiff received [REDACTED] and denies that any other amounts are due to Plaintiff under the [REDACTED], as alleged in sentence 1 of paragraph 68. Defendant denies the allegations in sentence 2 of paragraph 68, including that Defendant is required to pay Plaintiff [REDACTED] [REDACTED] or that Plaintiff is entitled to any relief whatsoever. To the extent the allegations of paragraph 68 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

69. Defendant denies the allegations contained in sentence 2 of paragraph 69. The remaining allegations in paragraph 69 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph

69. To the extent the allegations of paragraph 69 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

70. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 70, and, and therefore denies the same.

**VII. Deirdre Leane initiates false and misleading legal actions.**

71. Admitted.

72. The allegations in paragraph 72 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 72. To the extent the allegations of paragraph 72 purport to characterize the contents of certain lawsuits, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the referenced lawsuits for the true and correct contents thereof.

73. Defendant denies the allegations in sentence 1 of paragraph 73. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 2 of paragraph 73, and, and therefore denies the same. The remaining allegations contained in paragraph 73 state legal conclusions to which no response is required. To the extent the remaining allegations of paragraph 73 purport to characterize the contents of certain lawsuits, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the referenced lawsuits for the true and correct contents thereof.

74. Defendant denies the allegations in sentence 1 of paragraph 74 in their entirety.

The remaining allegations of paragraph 74 state legal conclusions to which no response is response is required. To the extent further response is required, Defendant denies the remaining allegations contained in paragraph 74. To the extent the allegations of paragraph 74 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

75. Defendant denies the allegations contained in paragraph 75 in their entirety. To the extent the allegations of paragraph 75 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

76. The allegations contained in paragraph 76 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 76. To the extent the allegations of paragraph 76 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

77. The allegations contained in paragraph 77 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 77 in their entirety. To the extent the allegations of paragraph 77 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

78. The allegations contained in sentence one of paragraph 78 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the remaining allegations contained in sentence 1 of paragraph 78 in their entirety. Defendant denies the remaining allegations in sentences 2, 3, and 4 of paragraph 78 in their entirety. To the extent the allegations of paragraph 78 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

79. Defendant admits the [REDACTED] was terminated. The remaining allegations contained in paragraph 79 state legal conclusions to which no response is required. To the extent further response to paragraph 79 is required, Defendant denies the remaining allegations in paragraph 79 in their entirety. To the extent the allegations of paragraph 79 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

80. The allegations contained in paragraph 80 purports to characterize assertions made in an Arbitration, which speak for themselves. Defendant denies all allegations that are contrary to or inconsistent with those assertions. Defendant refers to those assertions for the true and correct contents thereof.

81. Admitted.

82. The allegations contained in paragraph 82 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 82. To the extent the allegations of paragraph 82 purport to characterize

the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

83. The allegations contained in paragraph 83 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 83. To the extent the allegations of paragraph 83 purport to characterize the contents of the [REDACTED] and/or any other agreement, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] and/or any other agreement for the true and correct contents thereof.

84. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 1 of paragraph 84, and therefore denies the same. The remaining allegations contained in sentences two and three of paragraph 84 state legal conclusions to which no response is required. To the extent further response to sentences two and three of paragraph 84 is required, Defendant denies the remaining allegations contained in sentences 2 and 3 of paragraph 84 in their entirety. To the extent the allegations of paragraph 84 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

**COUNT I**  
(Specific Performance)

85. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 84, above, as if fully set forth herein.

86. Admitted.

87. The allegations contained in paragraph 87 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 87.

88. Admitted.

89. Admitted.

90. The allegations contained in paragraph 90 state legal conclusions to which no response is required. To the extent further response to paragraph 90 is required, Defendant denies the allegations in paragraph 90 in their entirety. To the extent the allegations of paragraph 90 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

91. Defendant denies the allegations in paragraph 91 that Plaintiff is entitled to at least [REDACTED] or any relief whatsoever. To the extent the allegations of paragraph 91 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

92. Defendant denies the allegations in paragraph 92 that Plaintiff is entitled to any funds or relief whatsoever. Defendant admits that it refuses to pay Plaintiff pursuant to [REDACTED]. To the extent the allegations of paragraph 92 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

93. Defendant denies the allegations in sentence 1 of paragraph 93 that Plaintiff is



entitled to any funds or relief whatsoever. Defendant admits the allegation in sentence 2 of paragraph 93 that Defendant has refused to provide Plaintiff “with a copy of the Settlement Agreement”. Defendant denies the allegations in sentence 2 of paragraph 93 regarding a contractual obligation to provide information under the [REDACTED]. To the extent the allegations of paragraph 93 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

94. The allegations contained in paragraph 94 state legal conclusions to which no response is required. To the extent a response to paragraph 94 is required, Defendant denies the allegations contained in paragraph 94. To the extent the allegations contained in paragraph 94 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

95. The allegations contained in paragraph 95 state legal conclusions to which no response is required. To the extent further response to paragraph 95 is required, Defendant denies the allegations in paragraph 95 in their entirety. To the extent the allegations of paragraph 95 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

96. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 96, and, and therefore denies the same.

97. The allegations contained in paragraph 97 state legal conclusions to which no response is required. To the extent further response to paragraph 97 is required, Defendant denies

the allegations in paragraph 97 in their entirety. To the extent the allegations of paragraph 97 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety, including that Plaintiff is entitled to any relief whatsoever. Defendant refers to the [REDACTED] for the true and correct contents thereof.

98. The allegations contained in paragraph 98 state legal conclusions to which no response is required. To the extent further response to paragraph 98 is required, Defendant denies the allegations in paragraph 98 in their entirety. To the extent the allegations of paragraph 98 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety, including that Plaintiff is entitled to any relief whatsoever. Defendant refers to the [REDACTED] for the true and correct contents thereof.

99. The allegations contained in paragraph 99 state legal conclusions to which no response is required. To the extent further response to paragraph 99 is required, Defendant denies the allegations in paragraph 99 in their entirety, including that Plaintiff is entitled to any relief whatsoever. To the extent the allegations of paragraph 99 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety, including that Plaintiff is entitled to any relief whatsoever. Defendant refers to the [REDACTED] for the true and correct contents thereof.

## COUNT II

(Breach of Contract – [REDACTED] [REDACTED] [REDACTED] and [REDACTED])

*In the Alternative*

100. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 99, above, as if fully set forth herein.

101. Admitted.

102. The allegations contained in paragraph 102 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 102.

103. Defendant denies the allegations in paragraph 103 concerning Plaintiff's purported entitlement to [REDACTED]. To the extent the allegations of paragraph 103 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

104. Defendant admits the allegations of paragraph 104 that the Patent Suits were settled. Defendant denies that they were settled pursuant to a "Settlement Agreement."

105. Admitted.

106. Defendant denies that Plaintiff is entitled to at least [REDACTED] or any relief whatsoever. To the extent the allegations of paragraph 106 purport to characterize the contents of the [REDACTED] that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

107. Defendant admits that it refuses to pay Plaintiff additional funds and denies that Plaintiff is entitled to any funds or relief whatsoever. To the extent the allegations of paragraph 107 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

108. Defendant denies the allegations in sentence 1 and sentence 2 of paragraph 108 in their entirety. Defendant admits the allegations in sentence 3 of paragraph 108 that Defendant has refused to provide Plaintiff “with a copy of the Settlement Agreement”. To the extent the allegations of paragraph 108 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

109. The allegations contained in sentence 1 of paragraph 109 state legal conclusions to which no response is required. To the extent further response to sentence 1 of paragraph 109 is required, Defendant denies the allegations in sentence 1 of paragraph 109 in their entirety. Defendant admits the allegations in sentence 2 of paragraph 109. To the extent the allegations of paragraph 109 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

110. The allegations contained in sentence 1 of paragraph 110 state legal conclusions to which no response is required. To the extent further response to sentence 1 of paragraph 110 is required, Defendant denies the remaining allegations in sentence 1 of paragraph 110 in their entirety. Defendant denies the allegations contained in sentence 2 of paragraph 110 in their entirety. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 3 of paragraph 110, and therefore denies the same. To the extent the allegations of paragraph 110 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

111. The allegations contained in paragraph 111 state legal conclusions to which no

response is required. To the extent further response to paragraph 111 is required, Defendant denies the allegations in paragraph 111 in their entirety. To the extent the allegations of paragraph 111 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof. To the extent further response is required, Defendant denies the allegations contained in paragraph 111.

112. Defendant denies the allegations contained in paragraph 112 that it has breached the [REDACTED], and that Plaintiff is entitled to [REDACTED] any relief whatsoever. To the extent the allegations of paragraph 112 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

113. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 113, and therefore denies the same, including that Defendant is entitled to any relief whatsoever. To the extent the allegations of paragraph 113 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

**COUNT III**  
(Breach of Contract – [REDACTED])

114. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 113, above, as if fully set forth herein.

115. Admitted.

116. The allegations contained in paragraph 116 state legal conclusions to which no

response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 116.

117. Admitted. To the extent the allegations of paragraph 117 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

118. The allegations contained in paragraph 118 state legal conclusions to which no response is required. To the extent further response to paragraph 118 is required, Defendant denies the allegations in paragraph 118 in their entirety. To the extent the allegations of paragraph 118 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

119. Admitted that Mr. Carter is ChanBond, LLC's manager. Defendant denies the remaining allegations in paragraph 119.

120. The allegations contained in paragraph 120 state legal conclusions to which no response is required. To the extent further response to paragraph 120 is required, Defendant denies the allegations in paragraph 120 in their entirety. To the extent the allegations of paragraph 120 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

121. The allegations contained in paragraph 121 state legal conclusions to which no

response is required. To the extent further response to paragraph 121 is required, Defendant denies the allegations in paragraph 121 in their entirety. To the extent the allegations of paragraph 121 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

122. The allegations contained in paragraph 122 state legal conclusions to which no response is required. To the extent further response to paragraph 122 is required, Defendant denies the allegations in paragraph 122 in their entirety. To the extent the allegations of paragraph 122 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

123. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 123, and therefore denies the same.

124. Defendant denies the allegations in paragraph 124 that Defendant has breached the [REDACTED] by entering into the [REDACTED]. To the extent further response to paragraph 124 is required, Defendant denies the allegations in paragraph 124 in their entirety. To the extent the allegations of paragraph 124 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

125. Defendant denies the allegations in paragraph 125 regarding Plaintiff's purported

breaches of the [REDACTED] in their entirety and denies that Plaintiff is entitled to any relief whatsoever.

**COUNT IV**

(Declaratory Judgment – [REDACTED])

126. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 125, above, as if fully set forth herein.

127. Admitted.

128. The allegations contained in paragraph 128 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 128 in their entirety.

129. Admitted. To the extent the allegations of paragraph 129 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

130. The allegations contained in paragraph 130 state legal conclusions to which no response is required. To the extent further response to paragraph 130 is required, Defendant denies the allegations in paragraph 130 in their entirety. To the extent the allegations of paragraph 130 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

131. Admitted that Mr. Carter is ChanBond, LLC's manager. Defendant denies the remaining allegations in paragraph 131.

132. The allegations contained in paragraph 132 state legal conclusions to which no response is required. To the extent further response to paragraph 132 is required, Defendant denies



the allegations in paragraph 132 in their entirety. To the extent the allegations of paragraph 132 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

133. The allegations contained in paragraph 133 state legal conclusions to which no response is required. To the extent further response to paragraph 133 is required, Defendant denies the allegations in paragraph 133 in their entirety. To the extent the allegations of paragraph 133 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

134. The allegations contained in paragraph 134 state legal conclusions to which no response is required. To the extent further response to paragraph 134 is required, Defendant denies the allegations in paragraph 134 in their entirety. To the extent the allegations of paragraph 134 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

135. Defendant denies the allegations concerning purported breaches of the [REDACTED] in subparagraphs a and b of paragraph 135 in their entirety and that Plaintiff is entitled to any relief whatsoever. To the extent the allegations of paragraph 135 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all

allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

**COUNT V**  
(Declaratory Judgment – [REDACTED])

136. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 135, above, as if fully set forth herein.

137. The allegations contained in paragraph 137 state legal conclusions to which no response is required. To the extent further response to paragraph 137 is required, Defendant denies the allegations in paragraph 137 in their entirety. To the extent the allegations of paragraph 137 purport to characterize assertions of a third-party, those assertions speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those assertions in their entirety. Defendant refers to the such assertions and to [REDACTED] for the true and correct contents thereof.

138. Admitted. To the extent the allegations of paragraph 138 purport to characterize the contents of the [REDACTED] that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

139. The allegations contained in paragraph 139 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 139.

140. The allegations contained in paragraph 140 state legal conclusions to which no response is required. To the extent further response to paragraph 140 is required, Defendant denies the allegations in paragraph 140 in their entirety. To the extent the allegations of paragraph 140 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant

denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

141. The allegations contained in paragraph 141 state legal conclusions to which no response is required. To the extent further response to paragraph 141 is required, Defendant denies the allegations in paragraph 141 in their entirety. To the extent the allegations of paragraph 141 purport to characterize the contents of the [REDACTED]<sup>2</sup>, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

142. The allegations contained in paragraph 142 state legal conclusions to which no response is required. To the extent further response to paragraph 142 is required, Defendant denies the allegations in paragraph 142 in their entirety. To the extent the allegations of paragraph 142 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

143. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 143, and therefore denies the same.

144. The allegations contained in paragraph 144 state legal conclusions to which no response is required. To the extent the allegations of paragraph 144 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant

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<sup>2</sup> Plaintiff refers to the [REDACTED] in paragraph 142, and Defendant will presume Plaintiff is referring to the [REDACTED] for the sole purpose of responding to the allegations in paragraph 142 of Plaintiff's First Amended Complaint.

refers to the [REDACTED] for the true and correct contents thereof.

145. Defendant admits the [REDACTED] was terminated. To the extent the allegations of paragraph 145 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

146. The allegations contained in paragraph 146 state legal conclusions to which no response is required. To the extent further response to paragraph 146 is required, Defendant denies the allegations in paragraph 146 in their entirety. To the extent the allegations of paragraph 146 purport to characterize the contents of a [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with these document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

147. The allegations contained in paragraph 147 state legal conclusions to which no response is required. To the extent the allegations of paragraph 147 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

148. The allegations contained in paragraph 148 state legal conclusions to which no response is required. To the extent further response to paragraph 148 is required, Defendant denies the allegations in paragraph 148 in their entirety. To the extent the allegations of paragraph 148 purport to characterize the contents of the [REDACTED], these documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with

theses document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

149. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 149, and therefore denies the same.

150. Defendant denies the allegations in paragraph 150 that Plaintiff is entitled to [REDACTED] or any relief whatsoever and that Defendant breached the [REDACTED]. To the extent the allegations of paragraph 150 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers [REDACTED] for the true and correct contents thereof.

151. Defendant denies the allegations in paragraph 151 in their entirety. To the extent the allegations of paragraph 151 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers [REDACTED] for the true and correct contents thereof.

152. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph, and therefore denies the same.

153. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 1 of paragraph 153, and therefore denies the same. Defendant denies the allegations in sentence 2 of paragraph 153.

154. Defendant denies the allegations in paragraph 154 that Defendant has breached the [REDACTED]. The remaining allegations contained in paragraph 154 state legal conclusions to which no response is required. To the extent further response to the allegations in paragraph 154 is required, Defendant denies the remaining allegations in paragraph 154 in their entirety. To the extent the allegations of paragraph 154 purport to characterize the contents of the

██████████, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the ██████████ for the true and correct contents thereof.

155. Defendant denies the allegations concerning purported breaches of the ██████ and denies that Plaintiff is entitled to any relief whatsoever. To the extent the allegations of paragraph 155 purport to characterize the contents of the ██████, that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the ██████ for the true and correct contents thereof.

**COUNV VI**  
Against ChanBond  
(Declaratory Judgment – ██████████)

156. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 155, above, as if fully set forth herein.

157. The allegations contained in paragraph 157 state legal conclusions to which no response is required. To the extent further response to paragraph 157 is required, Defendant denies the allegations in paragraph 157 in their entirety. To the extent the allegations of paragraph 157 purport to characterize assertions of a third-party, those assertions speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those assertions in their entirety. Defendant refers to those assertions, and to the ██████████ for the true and correct contents thereof.

158. Admitted.

159. The allegations contained in paragraph 159 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 159.

160. The allegations contained in paragraph 160 state legal conclusions to which no response is required. To the extent further response to paragraph 160 is required, Defendant denies the allegations in paragraph 160 in their entirety. To the extent the allegations of paragraph 160 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

161. The allegations contained in paragraph 161 state legal conclusions to which no response is required. To the extent further response to paragraph 161 is required, Defendant denies the allegations in paragraph 161 in their entirety. To the extent the allegations of paragraph 161 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

162. The allegations contained in paragraph 162 state legal conclusions to which no response is required. To the extent further response to paragraph 162 is required, Defendant denies the allegations in paragraph 162 in their entirety. To the extent the allegations of paragraph 162 purport to characterize the contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

163. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 163, and therefore denies the same.

164. The allegations contained in paragraph 164 state legal conclusions to which no response is required. To the extent the allegations of paragraph 164 purport to characterize the

contents of the [REDACTED], those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

165. Admitted. To the extent the allegations of paragraph 165 purport to characterize the contents of the [REDACTED], that documents speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that documents in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

166. The allegations contained in paragraph 166 state legal conclusions to which no response is required. To the extent further response to paragraph 166 is required, Defendant denies the allegations in paragraph 166 in their entirety. To the extent the allegations of paragraph 166 purport to characterize assertions of a third-party or the contents of a [REDACTED], these documents and/or assertions speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with these assertions and/or documents in their entirety. Defendant refers to the referenced assertions and to the [REDACTED] for the true and correct contents thereof.

167. Defendant denies allegations contained in paragraph 167 in their entirety. To the extent the allegations of paragraph 167 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

168. Defendant denies the allegations in paragraph 168 that Defendant breached the [REDACTED] in their entirety. To the extent the allegations of paragraph 168 purport to characterize the contents of the [REDACTED], these documents speak for themselves, and



Defendant denies all allegations that are contrary to or inconsistent with these document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

169. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 169, and therefore denies the same.

170. Defendant denies the allegations in paragraph 170 that Plaintiff is entitled to [REDACTED] or any relief whatsoever and that Defendant breached the [REDACTED]. To the extent the allegations of paragraph 170 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers [REDACTED] for the true and correct contents thereof.

171. Defendant denies the allegations in paragraph 171 in their entirety. To the extent the allegations of paragraph 171 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers [REDACTED] for the true and correct contents thereof.

172. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph, and therefore denies the same.

173. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph, and therefore denies the same.

174. Defendant denies the allegations in paragraph 174 that Defendant has breached the [REDACTED] by entering into the [REDACTED]. The remaining allegations contained in paragraph 174 state legal conclusions to which no response is required. To the extent further response to paragraph 174 is required, Defendant denies the remaining allegations in paragraph 174 in their entirety. To the extent the allegations of paragraph 174 purport to characterize the contents of the [REDACTED]

█, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the █ for the true and correct contents thereof.

175. Defendant denies the allegations concerning purported breaches of the █ in subparagraphs a and b of paragraph 175 and that Plaintiff is entitled to any relief whatsoever. To the extent the allegations of paragraph 175 purport to characterize the contents of the █, those documents speak for themselves, and Defendant denies all allegations that are contrary to or inconsistent with those documents in their entirety. Defendant refers to the █ for the true and correct contents thereof.

**COUNT VII**  
(Injunctive Relief)

176. Defendant incorporates by reference its responses to the allegations contained in paragraphs 1 through 175, above, as if fully set forth herein.

177. Admitted.

178. The allegations in paragraph 178 state legal conclusions to which no response is required. To the extent further response to paragraph 178 is required, Defendant denies the allegations in paragraph 178 in their entirety

179. The allegations contained in paragraph 179 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 179.

180. Defendant denies the allegations contained in sentence 1 of paragraph 180 in their entirety. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 2 of paragraph 180, and therefore denies the same. To the extent the allegations of paragraph 180 purport to characterize the contents of the █, that

document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

181. Admitted.

182. Defendant denies the allegations in paragraph 182 in their entirety, including that Plaintiff is entitled to [REDACTED] or any relief whatsoever.

183. Defendant denies the allegations in paragraph 183 in their entirety.

184. The allegations in paragraph 184 state legal conclusions to which no response is required. To the extent further response to paragraph 184 is required, Defendant denies the allegations in their entirety. To the extent the allegations of paragraph 184 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

185. The allegations in sentence 1 of paragraph 185 state legal conclusions to which no response is required. To the extent further response to sentence 1 of paragraph 185 is required, Defendant denies the remaining allegations contained in sentence 1 of paragraph 185. Defendant denies the allegations in sentence 2 of paragraph 185 in their entirety, including that Plaintiff has been or will be irreparably harmed. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations in sentence 3 of paragraph 185, and therefore denies the same. To the extent the allegations of paragraph 185 purport to characterize the contents of the [REDACTED], that document speaks for itself, and Defendant denies all allegations that are contrary to or inconsistent with that document in their entirety. Defendant refers to the [REDACTED] for the true and correct contents thereof.

186. The allegations in paragraph 186 state legal conclusions to which no response is required. To the extent further response is required, Defendant denies the allegations contained in paragraph 186, including that Plaintiff is entitled to any relief whatsoever.

#### **PRAYER FOR RELIEF**

The statements contained in paragraphs a-g of the Wherefore clause in the First Amended Complaint (D.I. 6 at 35-36) refer to the relief sought by Plaintiff in this action, for which no response is required. To the extent a response is required, Defendant denies that Plaintiff is entitled to any relief whatsoever, including the relief sought in paragraphs a-g of the Wherefore clause.

#### **AFFIRMATIVE DEFENSES**

Subject to and without waiving any response set forth above, Defendant sets forth its separate and distinct defenses to the First Amended Complaint. By pleading the following defenses, as provided for pursuant to Fed. R. Civ. P. 8(c), Defendant does not concede that it possesses or assumes the burden to prove each or any of them. Defendant maintains that Plaintiff retains the burden of proof on all matters necessary to state and sustain the claims asserted in their baseless First Amended Complaint.

Defendant reserves the right to assert additional defenses, affirmative or otherwise, upon further investigation and discovery into the matters alleged. Defendant asserts all applicable statutory limitations with respect to Plaintiff's claims in the First Amended Complaint.

#### **FIRST AFFIRMATIVE DEFENSE**

Plaintiff has failed to state a claim for which relief may be granted.

#### **SECOND AFFIRMATIVE DEFENSE**

Plaintiff's claims may be barred in whole or in part by the doctrines of waiver, estoppel, laches, unclean hands, or other contractual limitations and provisions set forth in the [REDACTED]

[REDACTED].

#### **THIRD AFFIRMATIVE DEFENSE**

The claims asserted against Defendant may be barred in whole or in part by reason of res

judicata, collateral estoppel, issue preclusion or claim preclusion.

**FOURTH AFFIRMATIVE DEFENSE**

The claims asserted against Defendant may be precluded, in whole or in part, by reason of accord and satisfaction, payment or release. settlement and release.

**FIFTH AFFIRMATIVE DEFENSE**

Defendant denies having breached any contractual duty alleged to be owed to Plaintiff.

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WHEREFORE, Defendant respectfully requests the Court enter judgment in its favor and against Plaintiff, that the First Amended Complaint be dismissed in its entirety with prejudice, that Defendant recover its attorneys' fees and costs in this action, and for such other relief as the Court may deem just and proper.

Respectfully submitted,

BAYARD, P.A.

/s/ Ronald P. Golden III

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*Attorneys for Defendant ChanBond, LLC.*

Dated: January 27, 2022

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 27, 2022, the foregoing was served upon the following counsel of record via email:

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/s/ Ronald P. Golden III  
Ronald P. Golden III (No. 6254)